

AUG 17 2005

For The Northern Mariana Islands
By _____
(Deputy Clerk)

G. Anthony Long, Esq.
Law Office of G. Anthony Long
P. O. Box 504970, Second Floor Lim's Bldg.
San Jose, Saipan, MP 96950
Telephone No. (670) 235-4802
Facsimile No. (670) 235-4801

Attorney for Defendant

**IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN MARIANA ISLANDS**

UNITED STATES OF AMERICA)	CRIMINAL ACTION NO. 03-0001
)	
Plaintiff)	
)	
v.)	
)	SUPPLEMENT AND AMENDMENT
VANN LE)	TO DEFENDANT'S PROPOSED
)	JURY INSTRUCTIONS
Defendant)	
_____)	

Defendant Vann Le submits a supplemental jury instruction on the
destruction of evidence and an amendment to the instruction defining commerce.
Defendant reserves the right to amend or supplement these jury instructions at any
time prior to reading of the instructions to the jury.

Dated this 17th day of August, 2005.

Law Office of G. Anthony Long

By: _____

G. Anthony Long

DEFENDANT'S JURY INSTRUCTION NO. _____

COMMERCE DEFINED

The term "commerce" means all commerce between any point in a State, Territory, Possession, or the District of Columbia and any point outside thereof; all commerce between points within the same State through any place outside such State; and all other commerce over which the United States has jurisdiction.

18 U.S.C. § 1951(b)(3)(modified)

**INFERENCE FROM THE LOSS, DESTRUCTION OR FAILURE TO
PRESERVE EVIDENCE**

If you find that the government disposed of caused to be disposed, allowed to be disposed or otherwise failed to preserve any evidence material to this case, you may infer that such disposal or failure to preserve occurred because the evidence did not support the charges against defendant.

State v. Youngblood 844 P.2d 1152, 1156-1157 (Ariz. 1993); *State v. Serna* 787 P.2d 1056, 1060 (Ariz. 1990); *State v. Willits* 393 P.2d 274 (Ariz. 1964).